

# HOUSE . . . . . No. 747

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By Mr. O'Flaherty of Chelsea, petition of Eugene L. O'Flaherty  
relative to judgments of contempt in the probate courts. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO CONTEMPT JUDGMENTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 34A of Chapter 215 of the General Laws, as appearing  
2 in the 2002 Official Edition, is hereby amended by striking out the  
3 fourth paragraph and inserting in place thereof the following para-  
4 graph:—

5 In entering a judgment of contempt for failure to comply with  
6 an order or judgment, there shall be a presumption that the plain-  
7 tiff is entitled to receive from the defendant, in addition to the  
8 judgment, all of his reasonable attorney's fees and expenses  
9 relating to the attempted resolution, initiation and prosecution of  
10 the complaint for contempt. The contempt judgment so entered  
11 shall include reasonable attorney's fees and expenses unless the  
12 probate judge enters specific findings that such attorney's fee and  
13 expenses shall not be paid by the defendant.